UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	0018-13	*Total Pages*	27

First Named Inventor or Application Identified

Inventors: Carl E. Fabian

Invention: RADIOPAQUE MARKER FOR A SURGICAL SPONGE

Express Mail Label No.	EU444225215US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
   (Submit an original, and a duplicate for fee processing)
2. ☒ Specification [*Total Pages* **21**]
   (preferred arrangement as set forth below)
   - Descriptive title of the Invention
   - Cross References to Related Applications
   - Statement Regarding Fed sponsored R & D
   - Reference to Microfiche Appendix
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawings *(if filed)*
   - Detailed Description
   - Claim(s)
   - Abstract of the Disclosure
3. ☒ Drawing(s) *(35 USC 113)* [*Total Sheets* **4**]
4. Oath or Declaration [*Total Pages* **2**]

   a. ☒ Newly executed (original or copy)

   b. ☐ Copy from a prior application (37 CFR 1.63(d))
   (for continuation divisional with Box 17 completed)
   [Note Box 5 below]
   i. ☐ DELETION OF INVENTOR(S)
      Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(useable if Box 4b is checked).* The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☒ Express Mailing Certification
7. Nucleotide and/or Amino Acid Sequence Submission
   (if applicable, all necessary)
   a. ☐ Computer Readable Copy
   b. ☐ Paper Copy (identical to computer copy)
   c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & documents(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorn y
   (when there is an assignee)
10. ☒ *Applicant Claims Small Entity Status*
11. ☐ Information Disclosure ☐ Copies of IDS
    Statement (IDS)/PTO-1449 Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
    (Should be specifically itemized)
14. ☒ Small Entity Statement
15. ☐ Certified Copy of Priority Documents *(if foreign priority is claimed)*
16. ☐ Other:

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17. **If a CONTINUING APPLICATION,** *check appropriate box and supply the requisite information:*

☐ Continuation   ☐ Divisional   ☐ Continuation-in-part (CIP)

18. CORRESPONDENCE ADDRESS

☐ *Customer Number or Bar Code Label* | 000025901 | or ☒ *Correspondence address below*

NAME	Ernest D. Buff
	Ernest D. Buff & Associates, LLC
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CITY	Morristown	*STATE*	New Jers y	*ZIP CODE*	07960
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PTO/SB/O5 (12/97) Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL

Note: Effective October 1, 1997
Patent Fees are subject to annual revision.

Application Number		
Filing Date		
First Named Inventor	Carl E. Fabian	
Group Art Unit		
Examiner Name		

TOTAL AMOUNT OF PAYMENT	($)	417.00	Attorney Docket Number	0018-13

METHOD OF PAYMENT(check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number→ [ ]

Deposit Account Name→ Ernest D. Buff And Associates LLC

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee Set In 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:
   ☒ Check   ☐ Money Order   ☐ Other

FEE CALCULATION

1. FILING FEE

Large Fee Code	Entity Fee ($)	Small Fee Code	Entity Fee ($)	Fee Description	Fee Paid
101	790	201	345	Utility filing fee	375.00
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)	($)	375.00

2. CLAIMS

		Extra		Fee From below	Fee Paid
Total Claims	14	-20=	0	X 9 =	000
Independent Claims	4	- 3=	1	X 42 =	42.00
Multiple Dependent Claims			0	X 0 =	42.00

Large Fee Code	Entity Fee ($)	Small Fee Code	Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	82	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	82	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)	($)	42.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee ($)	Small Fee Code	Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provision filing feel or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.29(b)	
				Other fee (specify) _____	
				Other fee (specify) _____	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	($)	

SUBMITTED BY:			Complete (if applicable)	
Typed or Printed Name	Ernest D. Buff		Reg. Number	25,833
Signature	*[signature]*	Date 08/28/02	Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Carl E. Fabian	Group Art Unit:	N/A
Serial No.:		Examiner:	N/A
For:	**RADIOPAQUE MARKER FOR A SURGICAL SPONGE**		
Docket No.:	0018-13		

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August 28, 2003

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